

REMARKS

In the January 16, 2007 office action, the pending claims were rejected under the doctrine of non-statutory double patenting over US 5,708,780, from which this application claims priority as a continuation filing. A terminal disclaimer to obviate the double patenting rejection was filed on January 22, 2007 in response to the January 16, 2007 office action. The terminal disclaimer was not accepted, however, in the final office action because the practitioner signing the terminal disclaimer was not of record in the application, according to the PTO database.

Previously, however, on June 9, 2005, the present attorney for the assignee filed a revocation of power of attorney and new power of attorney along with a change of correspondence address. A copy of the power of attorney, the statement under 37 C.F.R. 3.73(b) and the return receipt postcard from the USPTO mailroom is attached hereto as Exhibit A. These documents are re-submitted herewith as evidence that the attorney of record, David B. Cochran, is authorized to sign the terminal disclaimer on behalf of the current assignee of this application. A copy of the terminal disclaimer is also resubmitted herewith as Exhibit B. The application is now in condition for allowance.

Respectfully submitted,

By: 

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